

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK ERNEST SPANI,

Defendant,

And

STANELY ROY VIRES,

Defendant.

CR 22–24–BU–DLC

ORDER

Before the Court is Defendants Mark Earnest Spani and Stanley Roy Vires’s Unopposed Motion to Vacate Sentencing Hearings. (Doc. 117.) The motion requests that each defendant’s sentencing hearing, both currently scheduled for March 16, 2023, be continued for 30 days, or to a later date at the Court’s convenience. (*Id.* at 2.) The Government does not object to the motion. (*Id.*) The basis for the requests is that Spani needs additional time to review the Presentence Investigation Report (“PSR”) with his attorney in order to make the appropriate objections because the PSR was not received until February 27, 2023. (*Id.*) Vires requests additional time in order to “try and settle the forfeitures by negotiations

prior to Sentencing.” (*Id.* at 3.)

The Court does not find good cause to continue either hearing. After communicating with the United States Probation Office, the Court became aware of the fact that the draft PSR was provided to Spani’s counsel on February 8, 2023, per the Court’s scheduling order (Doc. 100). With regard to Vires’s request, the Court has previously granted a continuance to allow Vires to resolve his personal affairs. (*See* Doc. 106.)

Accordingly, IT IS ORDERED that the motion (Doc. 117) is DENIED.

DATED this 6th day of March, 2023.



Dana L. Christensen, District Judge
United States District Court